

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ACCESS 4 ALL, INC. and
FELIX ESPOSITO,

Plaintiffs,

v.

DELANCEY CLINTON ASSOCIATES,
L.P., a Pennsylvania Limited Partnership

Defendant.

CIVIL ACTION NO.
04-12347 (MAP)

OCTOBER 5, 2005

JOINT MOTION TO EXTEND TIME

Plaintiffs ACCESS 4 ALL, INC. and FELIX ESPOSITO, and Defendant DELANCEY CLINTON ASSOCIATES L.P. respectfully requests that the period to conclude discovery and to file dispositive motions be extended one month. Accordingly, the parties request that the Scheduling Order in this case be modified as follows:

EVENT	DATE
Deposition of Fact Witnesses will be completed by	November 15, 2005
Defendant's Expert Witnesses will be identified by	November 15, 2005
Defendant's Expert Reports will be provided by	November 15, 2005
Deposition of Expert Witnesses will be completed by	December 15, 2005
Dispositive Motions will be filed by	January 15, 2006

The parties have been actively engaging in discovery. Plaintiffs' expert has inspected the subject property and has prepared a report. Defendant recently retained an expert who inspected the property on October 3, 2005. The parties have exchanged and responded to written discovery. Notices of deposition have been issued by both parties for the week of October 12, 2005. Rather than incur the expense of having the Plaintiffs travel from Florida for the depositions, the parties believe it is in the best interest of reaching a settlement if discovery is extended so that the parties may pursue settlement discussions. Plaintiffs have served a settlement demand on Defendant. Defendant is reviewing the demand carefully and will be responding in the near future.

Accordingly, the parties respectfully request the above modification of the Scheduling Order.

DEFENDANT – DELANCEY CLINTON
ASSOCIATES, L. P.

By: 

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Its Attorneys

ORDER

The Defendant's Motion to Extend Time, having been considered, is hereby ordered
GRANTED / DENIED.

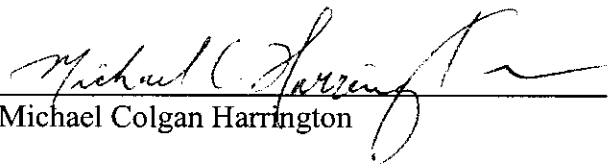
Date: _____

Judge/Assistant Clerk

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant's Motion to Extend Time was mailed first-class, postage prepaid, on this 5th day of October, 2005 to:

Larry Fuller, Esq.
O. Oliver Wragg, Esq.
Fuller, Fuller and Associates, P.A.
12000 Biscayne Boulevard, Suite 609
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Michael Colgan Harrington

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